

**MOTION
EXHIBIT 19**

**FILED UNDER
SEAL**

Message

From: Joan McDermott [jmcdermott2@usfca.edu]
on behalf of Joan McDermott <jmcdermott2@usfca.edu> [jmcdermott2@usfca.edu]
Sent: 3/14/2022 9:51:01 PM
To: Charles E Cross [Cross@usfca.edu]
Subject: Re: Confidential - USF Baseball / Nino Giarratano

He wanted to make the letter was confidential and that he had the correct email for me. I assured him it would be confidential.

Sent from my iPhone

On Mar 14, 2022, at 2:37 PM, Charles E Cross <Cross@usfca.edu> wrote:

Joan

What did happen in the conversation

Sent from my iPad

On Mar 14, 2022, at 2:24 PM, Joan McDermott <jmcdermott2@usfca.edu> wrote:

FYI...I just talked to this father.

Sent from my iPad

Begin forwarded message:

From: [REDACTED]
Date: March 14, 2022 at 2:20:35 PM PDT
To: jmcdermott2@usfca.edu
Cc: [REDACTED]
Subject: Confidential - USF Baseball / Nino Giarratano

March 13, 2022

TO: Paul Fitzgerald, President & Joan McDermott, Athletic Director

My hope is that you please take the time to read this email.

I am requesting a formal response from the University of San Francisco as our hope is to work directly on this matter vs other alternatives.

My son [REDACTED] was a recruited/scholarship player for USF [REDACTED]. The purpose of this email is to share his horrific experience while attending USF and playing baseball for Nino Giarratano and Troy Nakamura. The concerns outlined below were raised to Nino Giarratano and the athletic director by me and [REDACTED]. Nothing was done to address our concerns and our family felt threatened by Nino if we pushed harder. I felt that Nino would destroy our son's future as a student athlete. I directly spoke with Nino on more than one occasion about the inhumane actions and animal culture he established within the program. He ignored my concerns and left me to believe [REDACTED] would be negatively impacted if I shared concerns more broadly.

So you do not think [REDACTED] was a young student athlete who came out of High School and could not compete at the next level. He did not leave USF due to ability or character. He left because of the toxic and abusive elements of the program. In High School, [REDACTED] was contacted by a variety of college coaches. Example is for the West Coast Conference, he had formal baseball offers from both Pepperdine and USF. If ok, I want to share a little about my son's baseball ability as I would never want the impression he washed out as a player and could not compete at the next level. After leaving USF, [REDACTED] transferred to [REDACTED] where he played all four years. His junior and senior year he was their number one pitcher and Friday starter. [REDACTED] set the school record for most wins as a [REDACTED]. [REDACTED] earned numerous athletic recognitions by the conference and at the national level, was named [REDACTED] and upon graduation [REDACTED]

Below are some of the examples of what I heard and saw from both [REDACTED] and other USF baseball players when I visited. Since I work for a SF based company, I was there often during his time at USF. I was told by [REDACTED] and/or other players (apologize as I do not recall all their names) that all the coaches were fully aware of the examples listed below and got the sense they promoted this horrible culture.

1. Constant verbal abuse, yelling and disparaging remarks by coaches (Nino included) to [REDACTED] and other players.
 - a. Shattered [REDACTED] confidence and emotional state of mind.
2. Regular threats of pulling His scholarship and asking [REDACTED] to sign documents saying he would revoke it.
 - a. I kept telling him not to sign anything.
 - b. I called the NCAA and asked for advice and [REDACTED] rights as a student athlete. They helped me understand the rules and protection of the student athlete.
3. [REDACTED] did not go out to party with the team on nights or weekends, but he heard many stories told by those that did and this was often in front of both Nino and Troy.
4. When I visited [REDACTED] at USF, I heard some of these stories from other players as well. Again, I got the strong sense Nino and other coaches were well aware of this type of behavior.
 - a. Players assaulting individuals at bars or on the street. One bragged of pushing what he described a gay person through a window.
 - b. Vandalizing vehicles.
 - c. Drinking so much that player(s) ended up in the emergency room with what I assume as alcohol poisoning.
 - d. His roommate was dropped off one night by other players unconscious due to alcohol consumption and had penis's drawn on his face by sharpies. This was done by his fellow teammates.
5. Once concerns were raised by me and [REDACTED] about the treatment of players, [REDACTED] was assigned to what Nino called "Fat Camp". This required [REDACTED] to do extensive workouts (usually pre-dawn). Excuse was he missed a time limit on a run. But in the end, we felt it was retaliatory. My son is not fat. He was [REDACTED] at the time. We found this extremely abusive and offensive.
6. At the end of the fall season, Nino holds what can be referred to as a freshman hazing program. The coaches were in attendance and I heard from other players they laughed and cheered the whole time. They go into a classroom and verbally humiliate the younger players, share offensive videos, pictures etc.. Basically recap and cheer on some of the items mentioned above.

7. When [REDACTED] made the decision to leave this toxic environment, I spoke to Nino several times. I shared all of the examples above and concerns we had with his program.

a. He did nothing except make comments like "I do not want [REDACTED] to play against us, so will not release him to play D1.". Also kept asking if [REDACTED] was going to Pepperdine where he had another offer out of high school.

b. When [REDACTED] finally made the decision to leave USF and selected [REDACTED]. Nino spoke to [REDACTED] new coach and made comments such as he has no competitive drive. We felt like he was trying to undermine [REDACTED] and be punitive.

c. We believe Nino cost our son his dream of playing D1 baseball. Due to Nino's control and abuse once he was on the USF campus and until he transferred.

8. My wife and I personally saw both a physical and mental decline in our son while at USF. In fact, a friend who was in SF and visited with [REDACTED] called us to voice their concern about his mental state of mind and advised us to fly out immediately to check on him.

a. [REDACTED] never had counseling prior to attending USF. He began seeking help while at USF due to how he was treated by the USF baseball coaching staff.

As a parent, we entrusted our son to the University of San Francisco and are still deeply angry and hurt by the experience. It was extremely stressful and disruptive to our family at the time. [REDACTED] had to seek counseling while there and his mental health declined rapidly. We believe this led to giving him anxiety, depression and suicidal thoughts. [REDACTED] had to work hard to climb out of this dark place after leaving USF. My wife and I had many sleepless nights worrying whether we were going to get a call in the middle of the night he took his life.

What we were led to believe in USF would provide [REDACTED] vs. the abuse he endured is painful and beyond frustrating. Paying for him to attend your University, still upsets us today. We raised our voice of concerns and nothing was done. At the time, I described the USF baseball program as a horrible abusive culture of trying to dehumanize young adults. This perspective was shared directly with Nino and one of the asst athletic directors.

At this time, my wife and I have chosen not to retain counsel and are seeking a direct conversation with the University of San Francisco. [REDACTED] is aware we are reaching out to you directly and is supportive of us speaking on his behalf.

We look forward to hearing from you quickly on this matter.

Thank you,

[REDACTED]
[REDACTED]